

REMARKS

Claims 30-40, 42-44, and 46-55 are pending and stand rejected, with claims 30, 40, and 42 being independent. Claims 1-29, 41, and 45 have been cancelled, and claims 56-59 have been withdrawn.

35 U.S.C. § 112 Rejection

Independent claims 30, 40, 42, and 49 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner asserted that the specification did not support the amendments because it did not describe "a primary communication system configured as an access point between the client and the internet which identifies based on the client request a secondary communication system also configured as an access point." Office Action of October 24, 2007 at 2. Applicants respectfully disagree.

The specification includes clear support for the amendments to claims 30, 40, 42, and 49 made in the Reply to Office Action of May 8, 2007. The following passages demonstrate the existence of support for the amendments in the original Application. These passages are meant to be only exemplary and are not limiting in any way, as the amendments are also supported by other portions of the specification.

In any event, the specification discloses a primary communications system (e.g., host system 610) configured to act as an access point to the Internet for data communications between the client system and the Internet:

As shown, the client system 605 may access the Internet 665 through the host system 610.

Page 15, lines 27-28.

Furthermore, the primary system identifies, based on the processed request, a secondary communications system that is more optimally suited for providing Internet access to the client's system than the primary communications system:

Using this information, the host 610 identifies a suitable IP tunnel (step 710).

...

If the host 610 identifies a suitable IP tunnel in a geographic region suitable for the subscriber making the request, the host 610 directs the client 605 to the IP

tunnel (step 715). The host 610 also may transmit subscriber information to the IP tunnel, better enabling the IP tunnel to function as an OSP proxy capable of tailoring the content and user interfaces for individual subscribers being routed. The client 605 then transmits subsequent communications to the Internet through the local IP tunnel (step 720).

See e.g., page 18, line 30 – page 19, line 15.

Because it is clear that there is support in the specification for the entered amendments, Applicants respectfully request reconsideration and withdrawal of the § 112 rejection of amended independent claims 30, 40, 42, and 49, and their respective dependent claims.

Tarnanen Rejection

Claims 30-40, 42-44, and 46-55 stand rejected under 35 U.S.C. 102(e) over Tarnanen et al. (U.S. Patent No. 6,904,026).

Notably, the Final Office Action does not address the limitations added to independent claims 30, 40, 42, and 49 in the Reply to Office Action from May 8, 2007. For example, the Office Action fails to discuss the “receiving, at a primary communications system configured to act as an access point to the Internet for data communications between the client system and the Internet” limitation present in claims 30, 40, 42, and 49. See pages 2-7. Instead, the Office Action relies on the old rejection and does not provide new grounds for rejections, although it asserts that it does. See page 7.

As explained above, the above limitations are fully supported by the original Application. For these reasons, Applicants respectfully request reconsideration and withdrawal of the § 102(e) rejection of amended independent claims 30, 40, 42, and 49, and their respective dependent claims. Alternatively, Applicants respectfully request an issuance of a new Office Action addressing the “receiving, at a primary communications system configured to act as an access point to the Internet for data communications between the client system and the Internet” limitation.

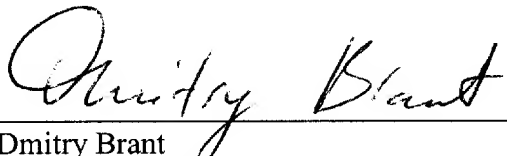
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Respectfully submitted,

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